

Honorable Judge Richard A. Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

BOMBARDIER INC.,

Plaintiff,

v.

MITSUBISHI AIRCRAFT CORPORATION,  
MITSUBISHI AIRCRAFT CORPORATION  
AMERICA INC., AEROSPACE TESTING  
ENGINEERING & CERTIFICATION INC.,  
MICHEL KORWIN-SZYMANOWSKI,  
LAURUS BASSON, MARC-ANTOINE  
DELARCHE, CINDY DORNÉVAL, KEITH  
AYRE, AND JOHN AND/OR JANE DOES 1-  
88,

Defendants.

No. 2:18-cv-01543-RAJ

DECLARATION OF CHRIS  
DATHE IN SUPPORT OF  
SERVICE ON MITSUBISHI  
AIRCRAFT CORPORATION  
AMERICA INC.

I, Chris Dathe, declare as follows:

1. I am a Registered Process Server, license #: SCH6008, expiration date 12/31/2018. I have personal knowledge of all of the facts set forth herein, and, if called as a witness, could competently testify thereto.

2. On October 23, 2018 at 1:15 PM at the address of 206 E. 9<sup>th</sup> Street #1300, Austin, within Travis County, TX, I served upon Mitsubishi Aircraft Corporation America Inc., by then and there personally delivering to Mary Ann Quick, in her role of Intake Agent, Capitol Corporate Services, Inc., Registered Agent, the following documents:

- a. A Summons in a Civil Action Directed to Mitsubishi Aircraft Corporation America Inc., which was dated 10/22/2018 with the signature of Donna Jackson affixed thereto;
- b. Cover Letter Dated October 22, 2018;
- c. Verified Complaint and accompanying papers, which included an unexecuted copy of A Summons in a Civil Action Directed to Mitsubishi Aircraft Corporation America Inc., the civil cover sheet, the Declaration of John D. Denkenberger and exhibits 1-35 attached thereto (identified as exhibit A to the Verified Complaint), and exhibits B-R to the Verified Complaint;
- d. Bombardier Inc.'s Corporate Disclosure Statement;
- e. Bombardier Inc.'s Motion to Seal Exhibits A-J to the Declaration of Daniel Burns and Exhibit A to the Declaration of David Tidd in Support of its Motion for a Preliminary Injunction;
- f. Bombardier Inc.'s Motion for Preliminary Injunction;
- g. Declaration of Daniel Burns in Support of Motion for Preliminary Injunction;
- h. Declaration of David Tidd in Support of Motion for Preliminary Injunction;
- i. Declaration of Nicole L'Ecuyer in Support of Motion for Preliminary Injunction; and
- j. Declaration of Moshe Toledano in Support of Motion for Preliminary Injunction.

3. On October 31, 2018 at 12:10 PM at the address of 206 E. 9<sup>th</sup> Street #1300, Austin, within Travis County, TX, I served upon Mitsubishi Aircraft Corporation America Inc., by then and there personally delivering to Joe DiGaetano, in his role of Intake Agent, Capitol Corporate Services, Inc., Registered Agent, the following documents:

- a. A Summons in a Civil Action Directed to Mitsubishi Aircraft Corporation America Inc., which was dated 10/22/2018 with the signature of Donna Jackson affixed thereto;

- b. Verified Complaint and accompanying papers, which included an unexecuted copy of A Summons in a Civil Action Directed to Mitsubishi Aircraft Corporation America Inc., the civil cover sheet, the Declaration of John D. Denkenberger and exhibits 1-35 attached thereto (identified as exhibit A to the Verified Complaint), and exhibits B-R to the Verified Complaint; and
- c. Standing Order for Civil Cases Assigned to Judge Richard A. Jones.

4. A true and correct copy of the Summons in a Civil Action Directed to Mitsubishi Aircraft Corporation America Inc., which was dated 10/22/2018 with the signature of Donna Jackson affixed thereto, is attached hereto as Exhibit A. This is a true and correct copy of the document that was served upon Mitsubishi Aircraft Corporation America Inc. as described above on October 23, 2018, and October 31, 2018.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

EXECUTED at Austin, TX, this 8<sup>th</sup> day of November, 2018.



Chris Dathe  
Registered Process Server

# EXHIBIT A

# UNITED STATES DISTRICT COURT

for the

Western District of Washington

BOMBARDIER INC.

*Plaintiff(s)*

v.

MITSUBISHI AIRCRAFT CORPORATION,  
MITSUBISHI AIRCRAFT CORPORATION AMERICA  
INC., AEROSPACE TESTING ENGINEERING &  
CERTIFICATION INC., et al.

*Defendant(s)*

Civil Action No. 2:18-cv-1543

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Mitsubishi Aircraft Corporation America Inc.  
4951 Airport Parkway Ste 500  
Addison, TX 75001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

John D. Denkenberger  
Christensen O'Connor Johnson Kindness PLLC  
1201 Third Avenue, Suite 3600  
Seattle, WA 98101-3029  
Telephone: 206.682.8100

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 10/22/2018



CLERK OF COURT

Donna Jackson

*Signature of Clerk or Deputy Clerk*



Civil Action No. 2:18-cv-1543

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_ , a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: